

### REMARKS

The Office Action dated September 7, 2005 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto. Claims 1 and 6 have been amended to more particularly point out and claim the instant invention. No new matter has been added and support for the above amendments can be found, for example, at paragraphs [0038] through [0040] of the instant specification. Claims 1-8 are pending in the application with claims 4 and 5 having been allowed.

Claims 1-2 and 6-7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Coden* (U.S. Patent No. 6,154,462) in view of *Breyer et al.* ("Switched, Fast and Gigabit Ethernet," pgs. 187-202). The Office Action took the position that *Coden* taught the elements of claims 1-2 and 6-7 except one of the address tables being a layer three IP lookup table. The Office Action then alleged that *Breyer et al.* taught the elements of claims 1-2 and 6-7 missing from *Coden*. Applicants respectfully traverse the obviousness rejection and respectfully submit that the cited references of *Coden* and *Breyer et al.*, either alone or in combination, fail to disclose or suggest all the features of any of the presently pending claims.

Claim 1, upon which claims 2 and 3 are dependent, recites a method of handling data packets in a series of network switches. The method includes receiving an incoming data packet at a data port of a first switch of the series of network switches. The method also includes resolving a stack tag from a header of the incoming data packet. The

method also includes determining whether the incoming data packet is a unicast packet, a multicast packet or an IP multicast packet and to search the address resolution lookup and layer three IP lookup tables to find an egress port for the incoming data packet. The method also includes modifying the header of the incoming packet. The method also includes forwarding the incoming data packet to at least a second switch of the series of network switches, on a stacked connection operating at a first data rate, based on the stack tag and the egress port. The method also includes remodifying the header of the incoming packet only when the egress port is one of a series of data ports of a particular switch of the series of switches.

Claim 6, upon which claims 7 and 8 are dependent, recites a network switch in a series of network switches. The network switch includes means for receiving an incoming data packet at a data port of a first switch of the series of network switches. The network switch also includes means for resolving a stack tag from a header of the incoming data packet. The network switch also includes means for determining whether the incoming data packet is a unicast packet, a multicast packet or an IP multicast packet, and to search the address resolution lookup and layer three IP lookup tables to find an egress port for the incoming data packet. The network switch also includes means for forwarding the incoming data packet to at least a second switch of the series of network switches, on a stacked connection operating at a first data rate, based on the stack tag and the egress port. The network switch also includes means for modifying the header of the

incoming packet only when the egress port is one of a series of data ports of a particular switch of the series of switches.

As discussed in the specification, examples of the present invention enable and control access of a network switch, such that data packets are handled in an environment where multiple network switches are stacked together in configurations that allow data packets to be switched among ports of those network switches. Applicants respectfully submit that the cited references of *Coden* and *Breyer et al.* fail to disclose or suggest all the features of any of the presently pending claims. Therefore, the cited references fail to provide the critical and unobvious advantages discussed above.

*Coden* relates to circuits and methods for a ring network. Referring to Figure 1, system 100 includes a number of ring switches 104-1 through 104-N. Each ring switch includes one or more local ports that are coupled to local networks and uses a method that prevents packets from being transmitted around the ring network indefinitely. When a packet enters a ring switch from a local port, an identification number for the ring switch is appended, pre-pended or added to the packet. Still according to a further aspect of *Coden*, a counter is appended to the packet at its originating ring switch. Each subsequent ring switch in the network that processes the packet increments the counter for the packet. Further, each ring switch that processes the packet checks the value of the counter. If the value of the counter exceeds an assigned threshold, then the packet is removed. The maximum value for the counter is selected so that the packet is removed from the ring when it has circled the network at least once.

Applicants submit that *Coden* and *Breyer et al.*, either alone or in combination, fail to disclose or suggest all the features of claims 1-2 and 6-7. For example, Applicants submit that *Coden* fails to remodify the header *only* when the egress port is one of a series of data ports of a particular switch of a series of switches.' The Office Action refers to *Coden* attaching or incrementing a counter, but such a function occurs every time a packet is received by a ring switch. Instead of such a functionality, *Coden* describes attaching the counter or identification number to all incoming packets.

Applicants submit that *Breyer et al.*, either alone or in combination with *Coden*, fails to disclose or suggest those features of the claims missing from *Coden*. *Breyer et al.* strips off a layer 2 header to obtain a layer 3 packet, and then adds back the layer 2 header. Applicants submit that this process of *Breyer et al.* fails to remodify the header of a packet. Instead, *Breyer et al.* adds back the header that was stripped off earlier. *Breyer et al.* also fails to disclose or suggest differentiating packets based on whether an egress port is one a series of data ports of a particular switch. Thus, applicants submit that *Breyer et al.* fails to disclose or suggest remodifying the header of the packet when the egress port is one of a series of data ports of a particular switch.

In contrast, claim 1 recites "remodifying the header of said incoming packet when the egress port is one of a series of data ports of a particular switch of said series of switches." Claim 6 recites similar features to claim 1, as well as other features, but is drawn to a network switch. Applicants respectfully submit that *Coden* and *Breyer et al.*

fail to disclose or suggest, for the reasons given above, at least these features of pending claims 1-2 and 6-7.

For at least these reasons, applicants respectfully submit that *Coden* and *Breyer et al.*, either alone or in combination, fail to disclose or suggest all the features of any of the presently pending claims. Thus, applicants respectfully request that the obviousness rejection of claims 1-2 and 6-7 be withdrawn.

Claims 3 and 8 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Coden* in view of *Breyer et al.* and further in view of U.S. Patent No. 6,425,015 (*Jennings et al.*). Applicants respectfully traverse the obviousness rejection and submit that the cited references of *Coden*, *Breyer et al.* and *Jennings et al.*, either alone or in combination, fail to disclose or suggest all the features of any of the presently pending claims.

Applicants submit that *Jennings et al.* fails to cure the deficiencies of *Coden* and *Breyer et al.*, as discussed above. Thus, applicants submit that *Jennings* fails to disclose or suggest at least these features of claims 3 and 8. Applicants respectfully assert that the rejection of claims 3 and 8 is improper and should be withdrawn.

Applicants respectfully submit that each of claims 1-8 recite subject matter that is neither disclosed or suggested by *Coden*, *Breyer et al.* and *Jennings*, either alone or in combination. Therefore, applicants respectfully request that claims 1-3 and 6-8, like claims 4 and 5, be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kevin F. Turner', written over a horizontal line.

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